

## **EXHIBIT B**

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No photo  
provided

## Mario Capogrosso's reviews

★★★★★ 6 total

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Star		
4		0%
Star		
3		0%
Star		
2		0%
Star		
1		0%
Star		

**Best lawyer Yet**

★★★★★

Posted by Usher October 30, 2015

I know him for a nice few years now and had quite a few tickets and he dismissed all of them he is a great lawyer I would recommend everyone to give him a try !

This review is from a person who hired this attorney.

Hired attorney 

**we thank GOD for you .sultan glory**



Posted by sultan September 27, 2015

my husband and I ,meet lawyer Mario Capogrosso, in Coney island ,we needed help and he took our case, and help my husband sultan: mr Capogrosso explain how the law work and the court work ,he was very professional ,my husband and I thank him very very much, thank you sir.

This review is from a person who hired this attorney.

Hired attorney 

**Very Helpful**



Posted by Tanya September 25, 2015

My name is Tanya, and I met 1st met Mario over a decade ago in Brooklyn when looking for someone to help out with a traffic ticket. Mario explained everything very clearly and in great detail, and didn't promise he'd win but explained we had much better odds with him representing us. He won our case to my surprise and throughout the years whenever we needed his services or a different...

More 

This review is from a person who hired this attorney.

Hired attorney 

**12 years working with Mario**



Posted by Mario Capogrosso 12/2003, and have hired him over the years to help out with several traffic tickets. Mario has always been very sharp, attentive, and has won a few cases for me. As he states up front, "you have

a better chance with me than without me", so have no illusion that you're going to win every case. You're not. But after watching him several times, he truly is GREAT at his...

More ▼

This review is from a person who hired this attorney.

Hired attorney ⓘ

### Excellent experience



Posted by Arek from New Paltz August 27, 2015

What other lawyers said is impossible for him it was simple and doable. His rates are reasonable and much lower compared to others. Mr. Capogrosso helped me with many cases, criminal and traffic offenses. Highly recommended!

This review is from a person who hired this attorney.

Hired attorney ⓘ

### He won my case!



Posted by Hector August 19, 2010

I approached Mr. Capogrosso at Brooklyn South DMV 4 months ago after I posted bond for my traffic violation (Seat Belt). I asked him to represent me on my hearing on August 18th, 2010. He sat down with me for 10 minutes and reviewed my case right before we went and saw the judge. He was very persuasive and nailed the cop who wrote me the ticket on the inconsistencies...

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Write a review for Mario Capogrosso (/attorneys/10532-ny-mario-capogrosso-1480563/write\_review.html)

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## EXHIBIT C

Law Office of Mario H. Capogrosso, Esq.

245 Saw Mill River Road, Suite 106  
Hawthorne, New York 10532

March 20, 2015

Ms. Elizabeth Prickett-Morgan  
NYS Office of the Attorney General  
120 Broadway, 24th floor  
New York City, NY 10027

Dear Madam:

I am an attorney in the state of New York.

My Registration number is 424431.

Please reference index number 7738/2012.Capogrosso vs. State Dept of Motor Vehicles for which I was in litigation. A settlement agreement was reached on June 20, 2012. As part of this settlement agreement I was required to take an anger management course and upon completion of this course I was to be allowed to practice law in all DMV courts on an equal and unbiased standing with all other attorneys in the DMV.

To this date, I have been in complete compliance with all conditions as set forth as part of this settlement agreement.

However, the DMV has not upheld its side of this agreement.

on numerous occasions, I have been harassed, threatened and now currently my files are being tampered with while they are left unprotected in the attorneys room at the DMV at 2875 West 8th Street, Brooklyn, the principal DMV location at which I practice.

The threatening and harassment I have let go because I do not easily get intimidated nor harassed. But at this point my client's files are being tampered with and I must, as a attorney, object.

I provide the following in evidence:

- 1) On numerous occasions your security guard Dave Sparks has told me to go F\_\_\_ myself (will provide proof upon request);
- 2) on several occasions your security guard Sparks has redirected other clients who come have looking for me specifically to other attorneys or has interfered with my conversations while speaking to a clients (will provide proof upon request);
- 3) your security guard Sparks has approached me, gotten in my face, stared and glared, I asked him what was the problem was and he told me I was the problem, F\_\_\_ you.;

4) your security guard Sparks, has stood looked at me directly while I was standing on the DMV traffic line gave me the sign of the cross twice and directed a spear hand in my direction.

After several complaints to Administrative Judge Gelbstein, the Senior judge at the Brooklyn TVB, I called Sparks employer. Subsequently, your security guard Sparks was relieved from his duties at the Brooklyn DMV for two weeks (proof to be provided).

I have made numerous complaints to Judge Gelbstein. His response has been " a spade is a spade (his words not mine), he laughs and giggles.

Judge Gelbstein is either complicit, incapable or incompetent to handle this issue.

As I have stated, I have ignored these incidents and have attempted at all levels not to aggravate the situation.

I have been in countless courts in my ten years of practice as an attorney and have never seen such behavior in any court system.

As I have stated, I can defend myself and absolutely will, so to this point I have ignored these incidents.

However, at this point your security guard Sparks is entering the attorney's room and tampering with my files. I have asked Judge Gelbstein to look at security tapes and have gotten no response.

As an attorney, I must now object. I cannot have my files tampered with.

I do not want an incident on your floor, I do not want an incident in your courtroom, I have no reason to have any trouble with any of your employees at the Brooklyn DMV.

To date, I have been a perfect gentleman and in complete with all conditions as set upon me by the settlement reached on June 12, 2012.

The DMV has not upheld their side of this agreement.

All I ask is that they do so.

I do not seek to litigate but I will if I have to.

Please take any and all action to expedite and resolve these issues

---

Mario H.Capogrosso, Esq.

914-806-3692

NY Registration No. 4244331



## **EXHIBIT D**



STATE OF NEW YORK  
OFFICE OF THE STATE INSPECTOR GENERAL

**Final Report**  
**October 17, 2007**

**DMV Official Violated Agency Rules on Outside Employment**

SUMMARY OF FINDINGS/RECOMMENDATIONS

The Office of the State Inspector General determined that Bushra Vahdat, a Senior Administrative Law Judge in the New York State Department of Motor Vehicles (DMV), violated DMV rules when she used agency equipment to conduct non-State business. In response to the Inspector General's findings, DMV counseled Vahdat regarding her conduct and revoked her authorization for outside work.

ALLEGATION

The Inspector General received a complaint in April 2007 that Vahdat had represented Payless Shoes before the New York City Environmental Control Board (ECB) during her work hours as a DMV Senior Administrative Law Judge (ALJ). It was also alleged that Vahdat used a DMV fax machine and telephone to communicate with the ECB on behalf of the private firm.

SUMMARY OF INVESTIGATION

Vahdat, who is licensed to practice law in New York, began her employment as a DMV ALJ in 1992 and became a Senior ALJ in 1998 assigned to the Queens North DMV Office. Prior to her employment at DMV, in 1990, Vahdat had worked at ECB.

In late 2006, Vahdat was contacted by her niece, who is a partner at a private law firm in New York City, seeking Vahdat's assistance in resolving summonses issued to Payless Shoes by ECB during the past 10 years. The summonses, which totaled approximately \$200,000, related to alleged violations by Payless Shoes of New York City sidewalk vending regulations. The law firm in which Vahdat's niece is a partner had been retained by Payless Shoes to represent it in New York State.

Section 3.7 of the DMV Employee Handbook requires that any employee who wishes to engage in any outside employment or activity must obtain prior written approval from DMV. DMV also requires that the outside employment not interfere with the performance of the employee's official duties.

In October 2004, Vahdat submitted to DMV a Request For Approval To Engage In Outside Employment/Activity. Vahdat stated in her request that her outside activity would be limited to "referrals of cases from family or friends to other attorneys." In November 2004, DMV granted Vahdat's request with the following restrictions: (1) travel to or from the outside activity is not permitted during work hours, and (2) the use of any State equipment, materials, property, staff or other resources for the outside activity is prohibited.

After receiving the request for assistance from her niece, Vahdat contacted ECB in an attempt to resolve the outstanding summonses. The Inspector General's investigation found, and Vahdat admitted, that she sent faxes on DMV letterhead and made and received phone calls from the Queens North DMV Office in furtherance of her activities on behalf of for Payless Shoes. On one occasion in January 2007 she also attended a meeting with ECB staff during work hours; however, she properly charged this time to her leave accruals.

While Vahdat told the Inspector General's Office she did not view herself as representing Payless Shoes, ECB employees the Inspector General interviewed were under the distinct impression that Vahdat represented the firm, since Vahdat was the only person who appeared at ECB to resolve the summonses. Vahdat said she received no compensation for her work on behalf of Payless Shoes.

## FINDINGS/RECOMMENDATIONS

The Inspector General determined that Vahdat used DMV resources to fax and telephone ECB in violation of her outside employment authorization from DMV. In addition, by using DMV letterhead to fax materials related to her outside employment, Vahdat might have created the mistaken impression that DMV had official involvement in her private activities. This Office recommended that DMV review Vahdat's conduct and determine if disciplinary or other action is appropriate. We also recommended that DMV determine if closer monitoring of outside activities by agency employees is warranted.

DMV advised the Inspector General's Office that DMV Counsel's Office has counseled Vahdat about her conduct, and that a counseling memorandum will be issued to her. DMV further advised that Vahdat's authorization to do outside legal work has been revoked.

METRO

# Yakkity sack

By Brad Hamilton

March 17, 2013 | 4:00am



**BENCHED:** The Post profiled DMV judge Bushra Vahdat last Sunday. A day later, she was suspended without pay.

**BENCHED:** The Post profiled DMV judge Bushra Vahdat last Sunday. A day later, she was suspended without pay. ( )

Judge Motormouth has lost her license to gab.

DMV supervisor Bushra Vahdat, the city's top traffic judge, has been suspended without pay — one day after The Post revealed that she spent four hours one workweek jabbering about renting her summer home.

Vahdat, who also was in charge of traffic courts in Rochester, Buffalo and Suffolk County, got the boot Monday following the exposé last Sunday about her wheeling and dealing, which was captured on secret audio and videotape.

"Suspended pending a hearing in accordance with civil-service law," DMV spokeswoman Jackie McGinnis wrote in an e-mail.

McGinnis said that videotape of the transaction in Vahdat's office in Queens, recorded by a private investigator and obtained by The Post, had been under review by the state Inspector General's Office.

"The matter was originally sent to the IG and was first referred by the IG to DMV on Monday," she wrote.

Vahdat had been banned from doing outside work in 2007 but spent parts of three workdays last year on a deal to rent out her Martha's Vineyard spread for \$3,350 the last week of August 2012.

The tapes reveal meandering conversations, including one two-hour phone call in which the judge gossips and yammers with the P.I. on such matters as family vacations and her daughter's messy apartment.

This is the second time the IG's Office has recommended action against Vahdat. Its investigators found in 2007 that she represented Payless Shoes, an outside client of her private law practice, without permission — and tried to use her position as a judge to get the city to dismiss \$200,000 in fines that for a private client.

Recommended by

!

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARIO H. CAPOGROSSO, ESQ.

Plaintiff

-against-

**CV-18-2710**

ALAN GELBSTEIN, et. al

**AFFIRMATION OF SERVICE**

Defendants

---

I, Mario H. Capogrosso, declare under penalty of perjury that I have served a copy of the attached Addendum to my Letter in Rebuttal and Request for Preliminary Injunction

upon:

Mark Siegmund (upon his affirmation  
in representing Defendants  
Gelbstein, Vahdat, Traschen, Prickett Morgan,  
Flanagan, Palmieri, Calvo)  
Assistant Attorney General  
28 Liberty Street  
New York, NY 10005

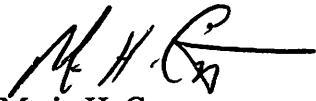
Sadiq Tahir  
2994 Coney Island Avenue  
Brooklyn, NY 11235

Pec Group of NY  
935 S. Lake Blvd. #7  
Mahopac, NY 10541

David Smart  
2875 West 8<sup>th</sup> Street  
Brooklyn, NY 11229

via U.S. Postal Service First Class Mail, or in hand personal service this 1<sup>st</sup> day of August, 2018.

Westchester, NY  
August 2, 2018



Mario H. Capogrosso  
21 Sheldrake Place  
New Rochelle, NY 10804  
(914) 806-3692